

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

-----X  
HEATHER STEELE,

Plaintiff,

-against-

DONALD J. NICHOLSON, WARRENSBURG  
CONGREGATION OF JEHOVAH'S WITNESSES,  
WARRENSBURG, NEW YORK, WATCHTOWER  
BIBLE AND TRACT SOCIETY OF NEW YORK, INC.,  
THE GOVERNING BODY OF JEHOVAH'S  
WITNESSES, CHRISTIAN CONGREGATION OF  
JEHOVAH'S WITNESSES,

Defendants.  
-----X

Plaintiff designates  
Kings County as the  
place of trial

Index No.

**SUMMONS**

Plaintiff resides at  
14807 Peachtree Cove Lane  
Winter Garden, Florida  
County of Orange

The basis of venue is CPLR  
§503(a) - a substantial part of the  
events or omissions giving rise to  
the claims occurred within Kings  
County

To the above named Defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to  
serve a copy of your answer, or, if the complaint is not served with this summons, to serve a  
notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this  
summons, exclusive of the day of service (or within 30 days after the service is complete if this  
summons is not personally delivered to you within the State of New York); and in case of your  
failure to appear or answer, judgment will be taken against you by default for the relief demanded  
in the complaint.

Dated: New York, New York  
October 30, 2019

THE ZALKIN LAW FIRM, P.C. and  
BARASCH McGARRY SALZMAN & PENSON  
Attorneys for Plaintiff

By: 

Dominique Penson  
11 Park Place, New York, NY 10007  
(212) 385-8000

**Defendants' addresses:**

Donald J. Nicholson  
538 Charlestown Road  
Hampton, New Jersey 08827

Warrensburg Congregation of Jehovah's Witnesses,  
Warrensburg, New York  
69 Schroon River Road  
Warrensburg, New York 12885

Watchtower Bible and Tract Society of New York, Inc.  
1 Kings Drive  
Tuxedo Park, New York 10987

The Governing Body of Jehovah's Witnesses  
1 Kings Drive  
Tuxedo Park, New York 10987

Christian Congregation of Jehovah's Witnesses  
100 Watchtower Drive  
Patterson, New York 12563

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

-----X

HEATHER STEELE,

Index No.

Plaintiff,

-against-

**VERIFIED COMPLAINT**

DONALD J. NICHOLSON, WARRENSBURG  
CONGREGATION OF JEHOVAH'S WITNESSES,  
WARRENSBURG, NEW YORK, WATCHTOWER BIBLE  
AND TRACT SOCIETY OF NEW YORK, INC., THE  
GOVERNING BODY OF JEHOVAH'S WITNESSES,  
CHRISTIAN CONGREGATION OF JEHOVAH'S  
WITNESSES,

Defendants.

-----X

Plaintiff, by her attorneys, THE ZALKIN LAW FIRM, P.C. and  
BARASCH MCGARRY SALZMAN & PENSON, upon information and belief and at  
all times hereinafter mentioned, respectfully alleges as follows:

**AS AND FOR A FIRST CAUSE OF ACTION  
(NEGLIGENT SUPERVISION)**

1. The plaintiff, HEATHER STEELE (hereinafter "STEELE") is a  
resident of the State of Florida.

2. This complaint is brought pursuant to the Child Victims Act,  
which provides a right of action for victims of childhood sexual abuse  
that would otherwise be time-barred.

3. Defendant WATCHTOWER BIBLE AND TRACT SOCIETY OF NEW YORK  
("WATCHTOWER") was and is a not-for-profit religious corporation,  
organized and existing under and by virtue of the laws of the State  
of New York.

4. At the time of the acts giving rise to the causes of action  
alleged in this complaint, WATCHTOWER's principal office and place

of business was in the County of Kings, State of New York.

5. WATCHTOWER's certificate of incorporation lists Kings County as the location of its principal office.

6. WATCHTOWER's certificate of incorporation lists Kings County as its principal place of business.

7. The acts and omissions forming the basis for this complaint took place in the State of New York.

8. Defendant WARRENSBURG CONGREGATION OF JEHOVAH'S WITNESSES, WARRENSBURG, NEW YORK (hereinafter "CONGREGATION") was and is a congregation of the Jehovah's Witnesses.

9. CONGREGATION is a business entity of unknown legal status, authorized to conduct business in the State of New York.

10. CONGREGATION maintains an office and principal place of business in the County of Warren, State of New York.

11. CONGREGATION conducts business in the State of New York.

12. THE GOVERNING BODY OF JEHOVAH'S WITNESSES (hereinafter "GOVERNING BODY") was and is a business or religious entity of unknown legal status.

13. GOVERNING BODY is comprised of eight members. GOVERNING BODY claims to have formal president or secretary.

14. GOVERNING BODY does have a coordinator that was formerly referred to as a chairman.

15. Upon information and belief, the coordinator of GOVERNING BODY rotates on a yearly basis in alphabetical order.

16. The current members of the Governing Body are KENNETH E. COOK, JR.; SAMUEL FREDERICK HERD; GEOFFREY WILLIAM JACKSON; MARK STEPHEN LETT; GERRIT LOSCH; ANTHONY MORRIS III; D. MARK SANDERSON; and DAVID H. SPLANE.

17. The current coordinator of GOVERNING BODY, as of October 1, 2019, is D. MARK SANDERSON.

18. The current coordinator of GOVERNING BODY, as of October 1, 2019, is DAVID H. SPLANE.

19. The current coordinator of GOVERNING BODY, as of October 1, 2019, is KENNETH E. COOK, JR.

20. The current coordinator of GOVERNING BODY, as of October 1, 2019, is SAMUEL FRERICK HERD.

21. The current coordinator of GOVERNING BODY, as of October 1, 2019, is GEOFFREY WILLIAM JACKSON.

22. The current coordinator of GOVERNING BODY, as of October 1, 2019, is MARK STEPHEN LETT.

23. The current coordinator of GOVERNING BODY, as of October 1, 2019, is GERRIT LOSCH.

24. The current coordinator of GOVERNING BODY, as of October 1, 2019, is ANTHONY MORRIS, III.

25. At the time of the acts giving rise to the causes of action alleged in this complaint, GOVERNING BODY's principal office and place of business was in the County of Kings, State of New York.

26. Defendant CHRISTIAN CONGREGATION OF JEHOVAH'S WITNESSES

(hereinafter "CCJW") was and is a not-for-profit religious corporation organized and existing under and by virtue of the laws of the State of New York.

27. In or about April of 2001, CCJW assumed from WATCHTOWER the obligation to operate the Service Department of the United States Branch of Jehovah's Witnesses, and became WATCHTOWER'S successor in interest.

28. CCJW paid no consideration to WATCHTOWER in exchange for its assumption of control over the Service Department, and the Service Department did not change location, staffing, or operation.

29. CCJW continues to operate the Service Department.

30. CCJW is a successor of WATCHTOWER.

31. WATCHTOWER merged into CCJW.

32. WATCHTOWER substantially merged into CCJW.

33. The business of CCJW is a mere continuation of WATCHTOWER'S business.

34. CCJW was created fraudulently, in order to escape WATCHTOWER'S liabilities for tortious conduct, including to the plaintiff herein.

35. WATCHTOWER has diverted corporate funds, assets, and revenue to CCJW for the purpose of making WATCHTOWER judgement proof.

36. CCJW is an alter ego of WATCHTOWER.

37. CCJW assumed the obligation to operate the Service Department in order to transfer assets in WATCHTOWER'S possession to

CCJW.

38. The Service Department simply merged into CCJW.

39. Defendant DONALD J. NICHOLSON (hereinafter "NICHOLSON") was an elder of CONGREGATION.

40. NICHOLSON was assigned and authorized to serve as elder by the joint efforts of WATCHTOWER AND GOVERNING BODY.

41. NICHOLSON's duties as an elder included the supervision of children, and were authorized by WATCHTOWER, CONGREGATION, and GOVERNING BODY.

42. NICHOLSON was, by virtue of his appointment as an elder, an agent of WATCHTOWER, CONGREGATION and GOVERNING BODY.

43. NICHOLSON was acting within the scope of his employment or agency in performing duties for, and on behalf of WATCHTOWER.

44. In connection with his responsibilities as an elder, at CONGREGATION, NICHOLSON had regular and frequent contact with children who attended the congregation.

45. WATCHTOWER, CONGREGATION, and GOVERNING BODY knew or should have known that NICHOLSON would have regular and frequent contact with children in connection with his position as an elder within CONGREGATION.

46. WATCHTOWER, CONGREGATION, and GOVERNING BODY knew or should have known that NICHOLSON sexually abused children, including STEELE.

47. WATCHTOWER, CONGREGATION, and GOVERNING BODY concealed

from plaintiff and her parents their knowledge of NICHOLSON's sexually abusive behavior.

48. Each defendant is the agent, servant, and/or employee of the other defendants, and each defendant was acting within the course and scope of his or its authority as an agent, servant and/or employee of the other.

49. The defendants are individuals, corporations, partnerships, and other entities or associations which engaged in, joined in, and conspired with other wrongdoers in carrying out the tortious and unlawful activities described in this complaint, and each of them ratified the acts of the other defendants as described herein.

50. The organizational structure of the Jehovah's Witnesses is hierarchical.

51. The organizational head of the Jehovah's Witnesses was and is GOVERNING BODY.

52. GOVERNING BODY is composed of a fluctuating number of elders.

53. Authority flows downward from GOVERNING BODY to the local level of the Jehovah's Witness organization, which is made up of congregations.

54. Congregations are organized by circuit.

55. A circuit consists of some number of congregations.

56. Each circuit is staffed by a circuit overseer and/or a



substitute circuit overseer.

57. It is the responsibility of the circuit and district overseer to ensure that directives and policies promulgated by GOVERNING BODY and WATCHTOWER are being followed and correctly implemented at the congregation, circuit and district levels.

58. The circuit overseer personally visits each congregation within his circuit twice yearly.

59. The circuit overseer personally meets with the elders of the congregations within his circuit.

60. During the circuit overseer's visits, the elders of the congregation and the circuit overseer discuss the overall functioning of the congregation, as well as specific instances of alleged wrongdoing, including allegations of child molestation.

61. The circuit overseer participates in field service and observes and reports upon the functioning of the congregation.

62. During the circuit overseer's visits, the elders of the congregation and the circuit overseer meet to discuss the men in the congregation, with the purpose of identifying men who meet the requirements for appointment as ministerial servants or elders.

63. The circuit overseer assists the elders in arriving at recommendations to defendant WATCHTOWER for appointment as ministerial servants and elders in the congregation.

64. Prior to April of 2001, circuit overseers prepared reports regarding their visits to the congregations, and submitted the report

to WATCHTOWER.

65. Since April of 2001, circuit overseers have submitted their reports to CCJW.

66. Day to day operations of each congregation are run by a body of elders.

67. Women are not permitted to serve as elders.

68. The elders are the highest authority at the congregational level.

69. The responsibilities of the elders include directing door-to-door preaching activities, selecting potential candidates for the position of ministerial servants or elders, organizing weekly church meetings, selecting candidates for the position of publisher, handling finances for the congregation, and determining the guilt, repentance, and punishment of church members who commit wrongdoing.

70. In order to be appointed as an elder, a person must be a ministerial servant in good standing, or have served as an elder in another congregation.

71. When the local elders identify a candidate for the position of elder, the circuit overseer recommends the candidate to WATCHTOWER.

72. WATCHTOWER and GOVERNING BODY have ultimate authority over the appointment of any candidate to the position of elder.

73. In the spring of 2001, CCJW took over WATCHTOWER'S responsibilities for the appointment of elders.

74. CCJW also assumed the responsibility from WATCHTOWER of nominating, appointing, supervising and disciplining publishers, ministerial servants, pioneers, elders, and circuit overseers.

75. CCJW assumed the responsibilities described in paragraph 63 in order to evade liabilities of WATCHTOWER for negligence in carrying these responsibilities.

76. Baptized publishers who meet certain requirements may be appointed as ministerial servants.

77. Ministerial servants serve the congregation and aid the elders in their responsibilities, and take on leadership responsibilities in the absence of an elder.

78. In order to be appointed as a ministerial servant, a person must be a publisher in good standing.

79. Only males may serve as ministerial servants.

80. The body of elders of the local congregation identifies potential candidates for the position of ministerial servant.

81. The body of elders in concert with the circuit overseer, determines whether a potential candidate for ministerial servant is suitable, and lives his life in accordance with appropriate morals.

82. Recommendations for the appointment of any individual to the position of ministerial servant are made to the WATCHTOWER.

83. WATCHTOWER and GOVERNING BODY have the ultimate authority as to whether a candidate is elevated to the level of ministerial servant.

84. Membership in the Jehovah's Witness organization is strictly registered and monitored.

85. A person can attend open meetings at the Kingdom Hall for years, and not be a member of the congregation.

86. An individual who wishes to become a member of the Jehovah's Witnesses, begins the process by engaging in a period of bible study with a baptized member of the congregation, along with self study.

87. After months of study, a person may become an unbaptized publisher.

88. In order to become an unbaptized publisher, the aspirant must apply to the congregation's body of elders.

89. The body of elders determine whether the aspirant exhibits sufficient knowledge of the beliefs and organization of the Jehovah's Witnesses to become a baptized publisher.

90. The body of elders determine whether the morals and ethics of the aspirant meet the Jehovah's Witnesses standards.

91. Once a person is approved as an unbaptized publisher, he or she is authorized to represent the Jehovah's Witnesses, and the specific congregation, in the community.

92. An unbaptized publisher is authorized to engage in field service, which is the centerpiece of Jehovah's Witness marketing, fundraising, and recruiting activities.

93. Field service involves door-to-door proselytizing.

94. By participating in field service, an unbaptized publisher

is authorized by the congregation and by the Jehovah's Witness organization to distribute Jehovah's Witness literature to members of the community, to accept donations on behalf of the organization, and to invite prospective members of the community to attend open congregation meetings at the Kingdom Hall as a means of recruitment.

95. Prior to April of 2001, each publisher was instructed by the congregation, as directed by defendant WATCHTOWER, on how to become more effective at disseminating literature, receiving donations, and enticing non-members to attend public congregation meetings or begin bible study.

96. Since April of 2001, CCJW has assumed WATCHTOWER'S responsibilities for improving publisher's presentations.

97. Publishers must submit monthly records to the congregation detailing their hours spent in field service.

98. Publishers must submit forms to the congregation secretary for each "bible study" conducted by a publisher during the month.

99. Failure to submit field service records can lead to a publisher being designated as "irregular" or "inactive", which results in lowered status within the congregation.

100. After additional study, an unbaptized publisher may seek to become a baptized publisher.

101. Baptism as one of Jehovah's Witnesses is considered an ordination as minister of the Jehovah's Witnesses.

102. To be approved for baptism, an applicant must be tested

and approved by elders of the local congregation.

103. During the testing, the applicant is asked certain questions relating to the teachings of the Jehovah's Witnesses as well as the organizational structure of the Jehovah's Witnesses.

104. Baptized publishers may make a greater commitment by pledging to spend a specified number of hours in service for a period of time.

105. Pioneers are baptized publishers who have pledged to perform a specified number of hours of field service.

106. An auxiliary pioneer is a baptized publisher who applies to the congregation's elders to perform a certain number of hours of field service during a one-month period of time.

107. The elders have discretion to accept or reject an application for auxiliary pioneer.

108. A regular pioneer is a baptized publisher who pledges to spend a specified number of hours in field service each month for one year.

109. In order to become a regular pioneer, an applicant gains the recommendation of the congregation's elders, who in turn submit that recommendation for approval to WATCHTOWER.

110. WATCHTOWER has the discretion to approve or reject an application for regular pioneer.

111. Since April of 2001, CCJW has assumed responsibility for approving or rejecting applications for regular pioneers.

112. Publishers submit to the domination and control of the Jehovah's Witness organization.

113. The Jehovah's Witness organization monitors each publisher's field service and bible study records, standardizes methods to be used during proselytizing activities, provides the only approved literature to be distributed during field service, directs where publishers will perform field service, controls access to sought after positions as regular or auxiliary pioneers, and determines appointments as ministerial servants, elders, and overseers.

114. The Jehovah's Witness organization dictates and implements the Jehovah's Witness practice of shunning, which involves isolating and not interacting with members that have been disfellowshipped or have voluntarily left the church.

115. A publisher's personal grooming, appearance and dress are regulated by his or her congregation.

116. A publisher's use of alcohol, tobacco, or drugs is regulated by his or her congregation.

117. A publisher's illegal sexual conduct, such as child sexual abuse occurring away from Jehovah's Witness locations and events are subject to regulation and the imposition of punishment by the congregation.

118. A publisher's legal sexual conduct is subject to regulation and the imposition of punishment by the congregation.

119. Congregants are encouraged to bring problems to the elders to be resolved, and are discouraged from seeking intervention from outside of the Jehovah's Witness organization.

120. When a congregant commits an act of wrongdoing, such as the sexual abuse of a child, that matter must be brought to an elder to be resolved.

121. Jehovah's Witness policy requires elders to investigate allegations of sexual abuse of a child.

122. It is the policy of the Jehovah's Witness organization that if there are two witnesses to any alleged sexual abuse of a child, a judicial committee will be convened.

123. It is the policy of the Jehovah's Witness organization that if there are not two witnesses to any alleged sexual abuse of a child, and the accused denies any wrongdoing, the accused is determined to be innocent, and no corrective, protective or punitive action is taken by the congregation.

124. If a judicial committee is convened to investigate an allegation of sexual abuse of a child, the two original elders who investigated the wrongdoing will be joined by a third elder, who will hear the case and impose punishment upon the wrongdoer.

125. Potential punishments for sexual abuse of a child include private reproof, public reproof, and disfellowship.

126. Private reproof in the Jehovah's Witness organization means a private censorship of the wrongdoer that generally results



in a limitation of privileges to engage in field service for a short period of time.

127. The congregation is not informed when an individual is subject to private reproof.

128. In the Jehovah's Witness organization, public reproof means an announcement is made to the congregation that the individual has been reproofed by a judicial committee and found to be repentant.

129. Disfellowship is expulsion from the Jehovah's Witness organization.

130. When an individual is disfellowshipped, an announcement is made to the congregation that he or she is no longer one of Jehovah's Witnesses.

131. When an individual is disfellowshipped, the congregation is not informed of any acts of wrongdoing, or of the basis for the person's expulsion from the Jehovah's Witness organization.

132. A person who is disfellowshipped may seek reinstatement into the Congregation by written request to the elders.

133. At all times prior to April of 2001, WATCHTOWER operated the Service Department of the United States branch of Jehovah's Witnesses.

134. Through the Service Department, WATCHTOWER implemented the policies and procedures promulgated by GOVERNING BODY.

135. WATCHTOWER exercised control over the day-to-day operations and activities of local congregations.

136. Prior to April of 2001, WATCHTOWER published a series of handbooks that were distributed to elders.

137. The aforesaid handbooks were not disclosed to other Jehovah's Witnesses or the public.

138. The aforesaid handbooks provided general instructions to elders regarding day-to-day administration of the organization.

139. The aforesaid handbooks provided instructions to elders regarding how to respond to allegations of wrongdoing, including child molestation.

140. The aforesaid handbooks specified the actions elders were required to take upon learning of child molestation within their congregations.

141. Prior to April of 2001, WATCHTOWER provided periodic instruction to local congregations through letters addressed to All Bodies of Elders.

142. The aforesaid letters covered a broad spectrum of topics ranging from standardizing the record-keeping practices of all congregations, establishing procedures for ordering literature from defendant WATCHTOWER, remitting payments, handling administrative and procedural matters involving day-to-day congregation operations.

143. Some of the aforesaid letters provided specific instructions on how to respond to wrongdoing within the congregation, including child molestation.

144. CCJW assumed responsibility for disseminating some of

these letters on and after April of 2001.

145. WATCHTOWER, through its Writing Department, and prior to April of 2001, through the Service Department, researches, writes, approves, publishes, and distributes its own materials for distribution to actual and prospective Jehovah's Witnesses.

146. WATCHTOWER appointed circuit and district overseers.

147. WATCHTOWER directly reviewed recommendations of prospective elders.

148. WATCHTOWER directly reviewed recommendations of ministerial servants.

149. GOVERNING BODY was and is authorized to approve or reject the appointment of any person recommended for the position of elder.

150. GOVERNING BODY was and is authorized to approve or reject the appointment of any person recommended for the position of ministerial servant.

151. GOVERNING BODY was and is authorized to approve or reject the appointment of any person recommended for the position of district or circuit overseer.

152. WATCHTOWER established procedures for the discipline of members accused of wrongdoing.

153. WATCHTOWER received and maintained records regarding the disfellowship or reproof of elders and ministerial servants.

154. In March of 1997, WATCHTOWER disseminated a letter to all of the Bodies of Elders in United States congregations seeking

information on men who then served, or had previously served, in any appointed position (e.g., elder, ministerial servant, regular pioneer) and were also known to have engaged in child molestation.

155. WATCHTOWER required each congregation to prepare reports detailing instances of child molestation, and to return the reports to WATCHTOWER's Service Department.

156. In July of 1998, defendant WATCHTOWER sent a follow up letter to each United States congregation, reminding those bodies of elders of the need to send the reports, and possible legal consequences of appointing a known child molester to a position of trust, such as an elder or ministerial servant.

157. Reports regarding the sexual abuse of children were received by the Service Department and kept by defendants WATCHTOWER and GOVERNING BODY.

158. Prior to receiving the written reports, WATCHTOWER and GOVERNING BODY were aware that child molestation by elders, ministerial servants, and publishers was a problem within its congregations.

159. Despite receiving the written reports, WATCHTOWER and GOVERNING BODY did not promulgate new or effective policies for preventing or responding to child molestation.

160. Despite receiving the written reports, WATCHTOWER and GOVERNING BODY did not implement procedures or policies to educate children and adult members of the risk of child molestation within

the Jehovah's Witness organization, how to identify warning signs of molestation, or how to avoid dangerous situations.

161. CCJW assumed operation of the Service Department, and gained possession and knowledge of the molestation reports, and also received new reports of molestation by Jehovah's Witnesses.

162. Reports of sexual molestation continue to be sent to CCJW.

163. A policy letter from July 1989 required elders to contact defendant WATCHTOWER's Legal Department about child abuse, instead of contacting the police.

164. WATCHTOWER and GOVERNING BODY left that policy intact, even after receiving written reports of molestation.

165. WATCHTOWER's Service Department has never made a mandated child abuse report to law enforcement.

166. The policies on child molestation promulgated by WATCHTOWER and GOVERNING BODY through the secret elder handbooks and confidential policy letters were not divulged to Jehovah's Witness members.

167. Through this mandated secrecy regarding child molestation by elders, ministerial servants, and publishers, WATCHTOWER and GOVERNING BODY intentionally concealed the threat of child molestation within the Jehovah's Witnesses from their members.

168. Through policies of non-reporting to law enforcement and non-cooperation with criminal child molestation investigations, defendants WATCHTOWER and GOVERNING BODY protected accused and

admitted child molesters from criminal prosecution and thereby increased the risk of molestation of minors.

169. STEELE was raised a Jehovah's Witness and was a congregant at defendant CONGREGATION as a child.

170. STEELE regularly attended meetings and events organized by, and affiliated with, the Jehovah's Witness organization.

171. NICHOLSON was an elder in CONGREGATION with substantial authority over STEELE and other congregants.

172. STEELE was trained by WATCHTOWER, CONGREGATION, and GOVERNING BODY, that she should obey, trust, and respect the individuals appointed as elders, including NICHOLSON.

173. NICHOLSON used his position as an elder to gain access to STEELE and used that access to molest her.

174. NICHOLSON molested several minors over the course of approximately two decades.

175. NICHOLSON's abuse of STEELE commenced when she was two years of age, and continued until she was ten years of age.

176. NICHOLSON's molestation of STEELE included forcible touching, oral sodomy, sexual intercourse, and other egregious acts of child molestation and sexual assault against a child.

177. NICHOLSON'S acts committed against STEELE while she was a child are sexual offenses as defined by New York Penal Law 130.

178. NICHOLSON has admitted to sexually abusing STEELE.

179. One or more elders at CONGREGATION were aware of reports

of NICHOLSON's molestation of a minor, before the abuse of STEELE concluded.

180. Despite receiving a report regarding NICHOLSON's abuse of a minor, CONGREGATION, WATCHTOWER, and GOVERNING BODY did nothing to remove NICHOLSON from his appointed position as an elder.

181. Despite receiving a report regarding NICHOLSON's abuse of a minor, CONGREGATION, WATCHTOWER, and GOVERNING BODY provided no warning to members of CONGREGATION whose children were at risk, including STEELE and her family.

182. In late 1981 or early 1982, one or more elders at CONGREGATION were informed of defendant NICHOLSON's SEXUAL molestation of additional minor congregants, including STEELE.

183. In addition to the elders assigned to CONGREGATION, the circuit overseer was involved in meetings regarding NICHOLSON's molestation of STEELE.

184. CONGREGATION formed a judicial committee in response to the abuse of STEELE.

185. After first denying that he abused STEELE, NICHOLSON admitted that he abused STEELE.

186. NICHOLSON was removed as an elder and disfellowshipped.

187. The school STEELE attended in 1982 was informed that NICHOLSON had molested STEELE.

188. STEELE's family expected the school to report the incident to law enforcement, and asked the elders and circuit overseers how

they should to proceed with the criminal investigation.

189. The circuit overseer, brother Chimikilis, cautioned STEELE'S FAMILY against aiding any investigation by law enforcement or social services.

190. The circuit overseer warned STEELE'S family that cooperating with any law enforcement or social services investigation could have serious consequences for CONGREGATION, and bring reproach on Jehovah's name.

191. One of the elders, Ross Persons, told STEELE's family that the elders did not report the abuse to law enforcement when they learned of it, due to concerns about CONGREGATION's reputation.

192. On or about March 2, 1982, STEELE's father sent a detailed letter to WATCHTOWER, explaining how they had been pressured not to cooperate with law enforcement.

193. Law enforcement was contacted about NICHOLSON's abuse of STEELE.

194. STEELE did cooperate with law enforcement.

195. Defendant NICHOLSON was convicted of molesting STEELE.

196. Defendant NICHOLSON was sentenced to 3 ½ years in prison for his molestation of STEELE.

197. After his release from prison, NICHOLSON reunited with his family in Clinton, New Jersey, where the family relocated to escape the notoriety of NICHOLSON's actions.

198. NICHOLSON was reinstated as a Jehovah's Witness in 1992.



199. Shortly after NICHOLSON's reinstatement as a Jehovah's Witness, a letter was sent to WATCHTOWER explaining the deficiencies in its policies for responding to child molestation, and highlighting the story of NICHOLSON's molestation of STEELE and others.

200. The letter warned that as a result of reinstating NICHOLSON, other children were put at risk.

201. Additional allegations of child molestation by NICHOLSON were raised in 1995.

202. NICHOLSON was reinstated as one of Jehovah's Witnesses in 2007.

203. NICHOLSON was again disfellowshipped in 2014.

204. Defendant WATCHTOWER had a duty to protect STEELE, as a minor congregant, from NICHOLSON's sexual criminal acts.

205. Defendant WATCHTOWER had a duty to competently investigate NICHOLSON prior to accepting him as its agent.

206. Defendant WATCHTOWER had a duty to competently supervise NICHOLSON during the time he served as an elder.

207. WATCHTOWER failed to adequately and competently supervise NICHOLSON.

208. Defendant CONGREGATION had a duty to protect STEELE, as a minor congregant, from NICHOLSON's sexual criminal acts.

209. Defendant CONGREGATION had a duty to competently investigate NICHOLSON prior to accepting him as its agent.

210. Defendant CONGREGATION had a duty to competently

supervise NICHOLSON during the time he served as an elder.

211. CONGREGATION failed to adequately and competently supervise NICHOLSON.

212. Defendant GOVERNING BODY had a duty to protect STEELE, as a minor congregant, from NICHOLSON's sexual criminal acts.

213. Defendant GOVERNING BODY had a duty to competently investigate NICHOLSON prior to accepting him as its agent.

214. Defendant GOVERNING BODY had a duty to competently supervise NICHOLSON during the time he served as an elder.

215. GOVERNING BODY failed to adequately and competently supervise NICHOLSON.

216. NICHOLSON's sexual abuse of STEELE was proximately caused by the defendants' failure to adequately and competently supervise NICHOLSON.

217. The aforementioned occurrences of sexual abuse were caused by the negligence, carelessness, and recklessness and the willful, wanton, reckless and grossly negligent conduct of WATCHTOWER, CONGREGATION and GOVERNING BODY, and their agents, servants, and/or employees, in failing to properly and adequately supervise the conduct of NICHOLSON as it related to STEELE.

218. By reason of the foregoing, STEELE sustained physical and psychological injuries, including but not limited to, severe emotional distress, confusion, humiliation, fright, anxiety, a severe shock to her nervous system, and has been caused to suffer

physical pain and mental anguish, and permanent emotional and psychological damage as a result thereof.

219. As a result of the defendants' conduct, STEELE has and will become obligated to expend sums of money for medical treatment.

220. By reason of the foregoing, WATCHTOWER, CONGREGATION and GOVERNING BODY are also liable to STEELE for punitive and exemplary damages.

221. The foregoing cause of action is exempt from the operation of CPLR 1601 by reason of one or more of the exemptions provided in CPLR 1602, including, but not limited to, CPLR 1602(2)(iv), 1602(7) and 1602(11).

222. The damages exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A SECOND CAUSE OF ACTION  
(NEGLIGENT RETENTION)**

223. STEELE repeats, reiterates, and realleges each and every allegation of this complaint, inclusive, with the same force and effect as if fully set forth at length herein.

224. Prior to and all times herein mentioned, WATCHTOWER, CONGREGATION, and GOVERNING BODY knew of NICHOLSON's aforementioned conduct toward STEELE and/or his propensity to sexually abuse minors such as STEELE, and yet they maintained his employment as their agent.

225. It was reasonably foreseeable that when the elders learned that NICHOLSON had been accused of molesting a minor prior to the conclusion of his molestation of STEELE, that his continued

appointment to the position of elder would mean that there was a heightened risk that NICHOLSON would sexually abuse STEELE or otherwise violate appropriate sexual boundaries between adult elders and minor congregants.

226. WATCHTOWER, CONGREGATION and GOVERNING BODY undertook a duty to protect minor congregants, like STEELE, who came into contact with their agents, like NICHOLSON, through their participation in CONGREGATION activities, from being sexually abused by their agents, including NICHOLSON.

227. By reason of the foregoing, STEELE sustained physical and psychological injuries, including but not limited to, severe emotional distress, confusion, humiliation, fright, anxiety, a severe shock to her nervous system, and has been caused to suffer physical pain and mental anguish, and permanent emotional and psychological damage as a result thereof.

228. As a result of the defendants' conduct, STEELE has and will become obligated to expend sums of money for medical treatment.

229. By reason of the foregoing, WATCHTOWER, CONGREGATION and GOVERNING BODY are also liable to STEELE for punitive and exemplary damages.

230. The foregoing cause of action is exempt from the operation of CPLR 1601 by reason of one or more of the exemptions provided in CPLR 1602, including, but not limited to, CPLR 1602(2)(iv), 1602(7) and 1602(11).

231. The damages exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A THIRD CAUSE OF ACTION  
(NEGLIGENT FAILURE TO TRAIN, RELATING TO CHILD ABUSE)**

232. STEELE repeats, reiterates, and realleges each and every allegation contained in this complaint, inclusive, with the same force and effect as if fully set forth at length herein.

233. WATCHTOWER knew or should have known of the problem of the sexual abuse of minors by Jehovah's Witnesses, including NICHOLSON.

234. WATCHTOWER and its agents, servants, and employees, had a duty to establish adequate, competent, and effective professional training and education programs and procedures for their agents, employees, and administrators, calculated to identify and prevent sexual abuse of minor congregants by elders and other agents, like NICHOLSON, who came into contact with minor congregants as a result of their positions within the Jehovah's Witness organization.

235. Given the prevalence of child molestation by Jehovah's Witnesses, WATCHTOWER also had a duty to establish adequate, competent, and effective training and education programs for minor congregants and their parents calculated to educate minor congregants to identify and protect themselves against sexual abuse by elders, such as NICHOLSON.

236. WATCHTOWER, and its agents, servants, and employees were negligent, careless, and reckless, and acted willfully, wantonly and with gross negligence, in failing to establish adequate and effective

professional training and education programs and procedures for their agents, calculated to prevent the sexual abuse of minor congregants, like STEELE.

237. WATCHTOWER, and its agents, servants, and employees, were negligent, careless, and reckless, and acted willfully, wantonly, and with gross negligence, in failing to establish adequate and effective training and education programs and procedures for minor congregants like STEELE, avoid sexual abuse by their agents.

238. CONGREGATION knew or should have known of the problem of the sexual abuse of minors by Jehovah's Witnesses, including NICHOLSON.

239. CONGREGATION and its agents, servants, and employees, had a duty to establish adequate, competent, and effective professional training and education programs and procedures for their agents, employees, and administrators, calculated to identify and prevent sexual abuse of minor congregants by elders and other agents, like NICHOLSON, who came into contact with minor congregants as a result of their positions within the Jehovah's Witness organization.

240. Given the prevalence of child molestation by Jehovah's Witnesses, CONGREGATION also had a duty to establish adequate, competent, and effective training and education programs for minor congregants and their parents calculated to educate minor congregants to identify and protect themselves against sexual abuse by elders, such as NICHOLSON.

241. CONGREGATION, and its agents, servants, and employees were negligent, careless, and reckless, and acted willfully, wantonly and with gross negligence, in failing to establish adequate and effective professional training and education programs and procedures for their agents, calculated to prevent the sexual abuse of minor congregants, like STEELE.

242. CONGREGATION, and its agents, servants, and employees, were negligent, careless, and reckless, and acted willfully, wantonly, and with gross negligence, in failing to establish adequate and effective training and education programs and procedures for minor congregants like STEELE, avoid sexual abuse by their agents.

243. GOVERNING BODY knew or should have known of the problem of the sexual abuse of minors by Jehovah's Witnesses, including NICHOLSON.

244. GOVERNING BODY and its agents, servants, and employees, had a duty to establish adequate, competent, and effective professional training and education programs and procedures for their agents, employees, and administrators, calculated to identify and prevent sexual abuse of minor congregants by elders and other agents, like NICHOLSON, who came into contact with minor congregants as a result of their positions within the Jehovah's Witness organization.

245. Given the prevalence of child molestation by Jehovah's Witnesses, GOVERNING BODY also had a duty to establish adequate, competent, and effective training and education programs for minor

congregants and their parents calculated to educate minor congregants to identify and protect themselves against sexual abuse by elders, such as NICHOLSON.

246. GOVERNING BODY, and its agents, servants, and employees were negligent, careless, and reckless, and acted willfully, wantonly and with gross negligence, in failing to establish adequate and effective professional training and education programs and procedures for their agents, calculated to prevent the sexual abuse of minor congregants, like STEELE.

247. GOVERNING BODY, and its agents, servants, and employees, were negligent, careless, and reckless, and acted willfully, wantonly, and with gross negligence, in failing to establish adequate and effective training and education programs and procedures for minor congregants like STEELE, avoid sexual abuse by their agents.

248. By reason of the foregoing, STEELE sustained physical and psychological injuries, including but not limited to, severe emotional distress, confusion, humiliation, fright, anxiety, a severe shock to her nervous system, and has been caused to suffer physical pain and mental anguish, and permanent emotional and psychological damage as a result thereof.

249. As a result of the defendants' conduct, STEELE has and will become obligated to expend sums of money for medical treatment.

250. By reason of the foregoing, WATCHTOWER, CONGREGATION and GOVERNING BODY are also liable to STEELE for punitive and exemplary



damages.

251. The foregoing cause of action is exempt from the operation of CPLR 1601 by reason of one or more of the exemptions provided in CPLR 1602, including, but not limited to, CPLR 1602(2)(iv), 1602(7) and 1602(11).

252. The damages exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A FOURTH CAUSE OF ACTION  
(NEGLIGENT FAILURE TO WARN)**

253. STEELE repeats, reiterates, and realleges each and every allegation contained in this complaint, inclusive, with the same force and effect as if fully set forth at length herein.

254. WATCHTOWER, and its agents, servants, and employees, knew or should have known that NICHOLSON had been accused of engaging in child molestation prior to the conclusion of his molestation of STEELE.

255. WATCHTOWER, and its agents, servants, and employees, had a duty to warn STEELE's parents, as congregants, that NICHOLSON's prior molestation of a child put her at risk for being sexually abused by NICHOLSON.

256. WATCHTOWER, and its agents, servants, and employees, had a duty to warn STEELE's parents, as congregants, that NICHOLSON's prior molestation of a child put her at risk for being sexually abuse by NICHOLSON.

257. WATCHTOWER, and its agents, servants and employees were

negligent, careless, and reckless, and acted willfully, wantonly and with gross negligence, in failing to warn STEELE's parents of the risk of sexual molestation presented by NICHOLSON.

258. CONGREGATION, and its agents, servants, and employees, had a duty to warn STEELE's parents, as congregants, that NICHOLSON's prior molestation of a child put her at risk for being sexually abused by NICHOLSON.

259. CONGREGATION, and its agents, servants, and employees, had a duty to warn STEELE's parents, as congregants, that NICHOLSON's prior molestation of a child put her at risk for being sexually abuse by NICHOLSON.

260. CONGREGATION, and its agents, servants and employees were negligent, careless, and reckless, and acted willfully, wantonly and with gross negligence, in failing to warn STEELE's parents of the risk of sexual molestation presented by NICHOLSON.

261. GOVERNING BODY, and its agents, servants, and employees, had a duty to warn STEELE's parents, as congregants that NICHOLSON's prior molestation of a child put her at risk for being sexually abused by NICHOLSON.

262. GOVERNING BODY, and its agents, servants, and employees, had a duty to warn STEELE's parents, as congregants, that NICHOLSON's prior molestation of a child put her at risk for being sexually abuse by NICHOLSON.

263. GOVERNING BODY, and its agents, servants and employees

were negligent, careless, and reckless, and acted willfully, wantonly and with gross negligence, in failing to warn STEELE's parents of the risk of sexual molestation presented by NICHOLSON.

264. By reason of the foregoing, STEELE sustained physical and psychological injuries, including but not limited to, severe emotional distress, confusion, humiliation, fright, anxiety, a severe shock to her nervous system, and has been caused to suffer physical pain and mental anguish, and permanent emotional and psychological damage as a result thereof.

265. As a result of the defendants' conduct, STEELE has and will become obligated to expend sums of money for medical treatment.

266. By reason of the foregoing, WATCHTOWER, CONGREGATION and GOVERNING BODY are also liable to STEELE for punitive and exemplary damages.

267. The foregoing cause of action is exempt from the operation of CPLR 1601 by reason of one or more of the exemptions provided in CPLR 1602, including, but not limited to, CPLR 1602(2)(iv), 1602(7) and 1602(11).

268. The damages exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A FIFTH CAUSE OF ACTION  
(NEGLIGENT FAILURE TO PROVIDE A SAFE AND SECURE ENVIRONMENT)**

269. STEELE repeats, reiterates, and realleges each and every allegation contained in this complaint, inclusive, with the same force and effect as if fully set forth at length herein.

270. WATCHTOWER assumed a duty to protect the safety and welfare of STEELE, as more fully set forth above, when STEELE became a congregant at CONGREGATION.

271. WATCHTOWER had a duty to provide a reasonably safe and secure environment for STEELE while she was participating in CONGREGATION events.

272. When STEELE was in WATCHTOWER's care, it failed to exercise the degree of care that a reasonably prudent parent would have exercised under similar circumstances.

273. WATCHTOWER and its agents, servants, and employees, were negligent, careless, and reckless, and acted willfully, wantonly, and with gross negligence in failing to provide a safe and secure environment for STEELE while she participated as a minor in the parish choir, and as a result she was sexually abused by NICHOLSON.

274. CONGREGATION assumed a duty to protect the safety and welfare of STEELE, as more fully set forth above, when STEELE became a congregant at CONGREGATION.

275. CONGREGATION had a duty to provide a reasonably safe and secure environment for STEELE while she was participating in CONGREGATION events.

276. When STEELE was in CONGREGATION's care, it failed to exercise the degree of care that a reasonably prudent parent would have exercised under similar circumstances.

277. CONGREGATION and its agents, servants, and employees,

were negligent, careless, and reckless, and acted willfully, wantonly, and with gross negligence in failing to provide a safe and secure environment for STEELE while she participated as a minor in the parish choir, and as a result she was sexually abused by NICHOLSON.

278. GOVERNING BODY assumed a duty to protect the safety and welfare of STEELE, as more fully set forth above, when STEELE became a congregant at CONGREGATION.

279. GOVERNING BODY had a duty to provide a reasonably safe and secure environment for STEELE while she was participating in CONGREGATION events.

280. When STEELE was in GOVERNING BODY's care, it failed to exercise the degree of care that a reasonably prudent parent would have exercised under similar circumstances.

281. GOVERNING BODY and its agents, servants, and employees, were negligent, careless, and reckless, and acted willfully, wantonly, and with gross negligence in failing to provide a safe and secure environment for STEELE while she participated as a minor in the parish choir, and as a result she was sexually abused by NICHOLSON.

282. By reason of the foregoing, STEELE sustained physical and psychological injuries, including but not limited to, severe emotional distress, confusion, humiliation, fright, anxiety, a severe shock to her nervous system, and has been caused to suffer physical pain and mental anguish, and permanent emotional and psychological damage as a result thereof.

283. As a result of the defendants' conduct, STEELE has and will become obligated to expend sums of money for medical treatment.

284. By reason of the foregoing, WATCHTOWER, CONGREGATION and GOVERNING BODY are also liable to STEELE for punitive and exemplary damages.

285. The foregoing cause of action is exempt from the operation of CPLR 1601 by reason of one or more of the exemptions provided in CPLR 1602, including, but not limited to, CPLR 1602(2)(iv), 1602(7) and 1602(11).

286. The damages exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A SIXTH CAUSE OF ACTION  
(INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS)**

287. STEELE repeats, reiterates, and realleges each and every allegation contained in this complaint, inclusive, with the same force and effect as if fully set forth at length herein.

288. Defendants knew, or in the exercise of reasonable care, should have known that their acts and omissions as described in this complaint would result in serious emotional distress to STEELE.

289. Defendants acted with willful, wanton, reckless, intentional and deliberate disregard for the likelihood that STEELE would suffer severe emotional distress as a direct and proximate result of the sexual abuse she endured.

290. Defendants' conduct as alleged above was extreme and

outrageous, and went beyond all bounds of decency.

291. As a direct and proximate result of defendants' acts and omissions, STEELE suffered severe emotional distress.

292. As a result of defendants' conduct, STEELE has and will become obligated to expend sums of money for medical treatment.

293. By reason of the foregoing, defendants are also liable to STEELE for punitive and exemplary damages.

294. The foregoing cause of action is exempt from the operation of CPLR 1601 by reason of one or more of the exemptions provided in CPLR 1602, including, but not limited to, CPLR 1602(2)(iv), 1602(7) and 1602(11).

295. The damages exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A SEVENTH CAUSE OF ACTION  
(NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS)**

296. STEELE repeats, reiterates, and realleges each and every allegation contained in this complaint, inclusive, with the same force and effect as if fully set forth at length herein.

297. Defendants knew, or in the exercise of reasonable care should have known, that their acts and omissions would result in serious emotional distress to STEELE.

298. WATCHTOWER, GOVERNING BODY, and CONGREGATION, in appointing NICHOLSON to serve as an elder, and to work with and come into contact with minor members of CONGREGATION, including STEELE,

had a special duty to ensure that NICHOLSON did not pose a threat of harm to STEELE.

299. Defendants WATCHTOWER, GOVERNING BODY, and CONGREGATION, who placed NICHOLSON in a position of power, in whom STEELE and her family placed confidence and trust, owed STEELE a duty to ensure that NICHOLSON did not pose a threat of harm to STEELE.

300. Defendant NICHOLSON, as an elder in STEELE's congregation, owed a duty to STEELE to refrain from sexually assaulting and abusing him.

301. Defendants negligently and carelessly breached that duty in disregard for the likelihood that STEELE would suffer severe emotional distress as a direct result.

302. As a direct and proximate result of defendants' negligence as described above, STEELE suffered severe emotional distress.

303. As a result of defendants' conduct, STEELE has and will become obligated to expend sums of money for medical treatment.

304. By reason of the foregoing, defendants are also liable to STEELE for punitive and exemplary damages.

305. The foregoing cause of action is exempt from the operation of CPLR 1601 by reason of one or more of the exemptions provided in CPLR 1602, including, but not limited to, CPLR 1602(2)(iv), 1602(7) and 1602(11).

306. The damages exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction.



**AS AND FOR AN EIGHTH CAUSE OF ACTION  
(SEXUAL ABUSE AND BATTERY)**

307. STEELE repeats, reiterates, and realleges each and every allegation contained in this complaint, inclusive, with the same force and effect as if fully set forth at length herein.

308. Each instance of NICHOLSON's sexual misconduct and inappropriate physical contact with STEELE constitutes a battery.

309. Defendant NICHOLSON is liable to plaintiff for sexual abuse and battery of STEELE, as set forth in the foregoing paragraphs.

310. WATCHTOWER, by its intentional acts, omissions, negligence, knowing and willful failure to act affirmatively to prevent, detect, report, or investigate, aided and abetted NICHOLSON.

311. By declining to contact law enforcement about NICHOLSON's molestation of STEELE and others, and by virtue of WATCHTOWER's efforts to dissuade STEELE from cooperating with law enforcement investigations into NICHOLSON, WATCHTOWER sought to cover up NICHOLSON's acts, and protect him from detection or punishment, and thereby ratified his sexual molestation of STEELE and others.

312. CONGREGATION, by its intentional acts, omissions, negligence, knowing and willful failure to act affirmatively to prevent, detect, report, or investigate, aided and abetted NICHOLSON.

313. By declining to contact law enforcement about NICHOLSON's molestation of STEELE and others, and by virtue of CONGREGATION's efforts to dissuade STEELE from cooperating with law enforcement investigations into NICHOLSON, CONGREGATION sought to cover up

NICHOLSON's acts, and protect him from detection or punishment, and thereby ratified his sexual molestation of STEELE and others.

314. GOVERNING BODY, by its intentional acts, omissions, negligence, knowing and willful failure to act affirmatively to prevent, detect, report, or investigate, aided and abetted NICHOLSON.

315. By declining to contact law enforcement about NICHOLSON's molestation of STEELE and others, and by virtue of GOVERNING BODY's efforts to dissuade STEELE from cooperating with law enforcement investigations into NICHOLSON, GOVERNING BODY sought to cover up NICHOLSON's acts, and protect him from detection or punishment, and thereby ratified his sexual molestation of STEELE and others.

316. By reason of the foregoing, STEELE sustained physical and psychological injuries, including but not limited to, severe emotional distress, confusion, humiliation, fright, anxiety, a severe shock to her nervous system, and has been caused to suffer physical pain and mental anguish, and permanent emotional and psychological damage as a result thereof.

317. As a result of the defendants' conduct, STEELE has and will become obligated to expend sums of money for medical treatment.

318. By reason of the foregoing, defendants are also liable to STEELE for punitive and exemplary damages.

319. The foregoing cause of action is exempt from the operation of CPLR 1601 by reason of one or more of the exemptions provided in CPLR 1602, including, but not limited to, CPLR 1602(2)(iv), 1602(7)

and 1602(11).

320. The damages exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

WHEREFORE, the plaintiff demands judgment against the defendants on each of the First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Eighth, causes of action in a sum that exceeds the jurisdictional limits of all lower courts, including compensatory and punitive damages, together with interest, costs and disbursements pursuant to the causes of action herein.

Dated: New York, New York  
October 30, 2019

THE ZALKIN LAW FIRM, P.C.  
and BARASCH McGARRY SALZMAN & PENSON  
Attorneys for Plaintiff

By: 

Dominique Penson  
11 Park Place  
New York, New York 10007  
(212) 385-8000